

WHEN RECORDED MAIL TO:

89-102308

RECORDED IN
OFFICIAL RECORDS

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

RECORDED
REQUEST OF **COMMONWEALTH LAND TITLE CO.**

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SAN BERNARDINO
CO. CALIF.

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ASSIGNMENT AND ASSUMPTION AGREEMENT

This Assignment and Assumption Agreement is made and entered into as of this 10th day of March, 1989, by and between CAROLINE PLAZA, LTD., a California limited partnership (hereinafter "Assignor"), and SIMCHOWITZ-W NO. 1, a California limited partnership (hereinafter "Assignee").

Recitals

A. The City of Riverside, a municipal corporation, is the Lessor and Assignor is the Lessee under a certain LEASE AGREEMENT (Sunset Brokers) dated April 21, 1988 (hereinafter the "Ground Lease") whereby Assignor leased from the City of Riverside that certain real property in the County of San Bernardino, California, described in Exhibit "A" attached hereto and made a part hereof. The Ground Lease has been altered by the provisions of a FIRST AMENDMENT TO LEASE AGREEMENT (Sunset Brokers) dated March 10, 1989.

B. Assignor now desires to assign the Ground Lease as amended to Assignee, and Assignee desires to accept the assignment thereof. Assignee hereby acknowledges and confirms that it has received, reviewed and approved the Ground Lease and FIRST AMENDMENT.

NOW, THEREFORE, Assignor and Assignee agree as follows:

In consideration of the mutual covenants of the parties hereto and the agreements of Assignee hereinafter set forth, Assignor hereby assigns and transfers to Assignee all of its right, title and interest in and to the amended Ground Lease hereinbefore described, and Assignee hereby agrees to and does accept this assignment, and hereby expressly assumes and agrees to keep, perform and fulfill all of the terms, covenants, conditions and obligations required to be kept, performed and fulfilled by Assignor as Lessee under said Ground Lease, including without limitation the making of all payments due to Lessor under said Ground Lease when due and payable.

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EXHIBIT "A"
 LEGAL DESCRIPTION
 (LEASE AREA)

BEING A PORTION OF THE SOUTH HALF OF LOT 4, OF BLOCK 65, RANCHO SAN BERNARDINO, RECORDED IN BOOK 7 OF MAPS, PAGE 2, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 8 OF PARCEL MAP NO. 8401, RECORDED IN BOOK 88 OF PARCEL MAPS, PAGES 32 AND 33, RECORDS OF SAID COUNTY, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID SOUTH HALF OF LOT 4; THENCE NORTH 89°47'54" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF LOT 4, A DISTANCE OF 106.00 FEET; THENCE SOUTH 00°12'06" EAST, A DISTANCE OF 20.00 FEET; THENCE NORTH 89°47'54" EAST, A DISTANCE OF 985.48 FEET TO THE WEST LINE OF WATERMAN AVENUE; THENCE SOUTH 00°01'25" EAST ALONG SAID WEST LINE OF WATERMAN AVENUE, A DISTANCE OF 90.00 FEET; THENCE NORTH 89°47'54" EAST, A DISTANCE OF 70.00 FEET; THENCE SOUTH 00°01'25" EAST ALONG THE WEST LINE OF WATERMAN AVENUE, A DISTANCE OF 220.97 FEET TO THE NORTHERLY LINE OF THE SOUTHERN PACIFIC TRANSPORTATION COMPANY; THENCE NORTH 80°12'36" WEST, A DISTANCE OF 1186.92 FEET; THENCE NORTH 00°01'04" WEST, A DISTANCE OF 125.03 FEET; THENCE NORTH 89°47'02" EAST, DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING. THE AREA OF THE DESCRIBED PROPERTY IS 5.49 ACRES, MORE OR LESS.

DESCRIPTION APPROVAL 5, 20, 88
George P. Hutchinson
 SURVEYOR, CITY OF RIVERSIDE

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